

M e m o r a n d u m

Date: April 14, 2010

To: Office of the Commissioner
Attention: Commissioner J. A. Farrow

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Office of the Assistant Commissioner, Inspector General

File No.: 005.9968.16875.010

Subject: FINAL 2009 COMMAND EVIDENCE INSPECTION OF THE
GOLDEN GATE COMMUNICATIONS CENTER

I am issuing this final inspection report of the Golden Gate Communications Center (GGCC) pursuant to Government Code (GC) §13887, the California Highway Patrol (CHP) Audit Charter and CHP Audit Plan. The inspection focused on the command's evidence system pursuant to departmental policy set-forth in Chapter Two, *Command Evidence* of Highway Patrol Manual (HPM), 22.1, *Command Inspections Program Manual*, and HPM 70.1, *Evidence Manual*.

This inspection was conducted using methodology #3, as presented in HPM 22.1. This is a five step process, which consists of selecting an item in the Area Information System (AIS); locating the item in the Evidence/Property Log; reviewing the corresponding CHP 36, Evidence/Property Receipt/Report; locating the evidence/property item; and verifying the current disposition of the item.

The inspection consisted of examining a stratified random sampling of all categories of evidence/property in the AIS. There were a total of 316 active and 12 closed evidence/property numbers in the AIS. The evidence numbers were broken down according to their respective categories within AIS. The evidence numbers associated with closed items were kept separate from the active items. To achieve a statistically defensible sample with a 95 percent confidence level and a plus or minus five percent error rate, 58 items from the active and 11 from the closed categories were inspected. Each category from AIS was stratified to ensure each group was proportionally represented in the sample. The internet web site "randomizer.org" was utilized to randomly select evidence numbers from each stratified category as well as the closed numbers.

The inspection findings for the GGCC are as follows:

1. The inspector was unable to locate 32 active evidence items.
2. The inspector was unable to locate documentation for seven closed evidence items.

Safety, Service, and Security

3. The final disposition of multiple closed items was not noted on the related CHP 36 or CHP 36B forms or updated in the AIS.
4. Active evidence items, which the inspector could not locate, had not been updated in the AIS (changed from active to closed) and their final disposition noted.
5. The GGCC was unable to provide all documentation related to the 2007 and 2008 evidence audits and inventories and any past change-of-command inventories.
6. The GGCC does not utilize the AIS bar coding system when processing evidence.
7. The 1st and 2nd quarter 2008 combined evidence audit and 3rd and 4th quarter 2007 evidence audits were not signed by the commander.
8. The GGCC Evidence Room is not compliant with security policy according to HPM 70.1, Evidence.
9. The second quarter 2008 evidence audit noted that evidence item E2008-005 was related to found property (wallet). The item was not placed into the evidence locker, and instead the officer maintained it while attempting to return it to the owner. The final disposition of this item was unknown. The inspector was unable to locate documentation to substantiate its final disposition.
10. Multiple CHP 36 from were improperly completed.
11. Property (E2008-005) was not placed into the evidence locker, and instead the officer maintained it while attempting to return it to the owner. The inspector was unable to locate documentation to substantiate its final disposition.

The GGCC Commander agreed with the findings and has taken corrective action to improve command operations related to the command's evidence system. The Commander's response is attached and is incorporated into this final report. In accordance with the *International Standards for the Professional Practice of Internal Auditing* and Government Code §13887 (a) (2), this report, the response, and any follow-up documentation is intended for the Office of the Commissioner; Office of the Assistant Commissioner, Field; Office of the Assistant Commissioner, Inspector General; Office of Legal Affairs; Office of Inspections; and

Office of the Commissioner
Page 3
April 14, 2010

Golden Gate Division. Please note this report restriction is not meant to limit distribution of the report, which is a matter of public record pursuant to Government Code §6250 et seq.

Golden Gate Division has reviewed the corrective action taken by the GGCC and has concluded that all previously identified deficiencies have been resolved. As a result no further reporting is required by the GGCC and the matter is considered closed.

The Office of Inspections would like to thank the GGCC management and staff for their cooperation during the inspection. If you need further information, please contact me or Captain Ernie Sanchez at (916) 843-3005.

A handwritten signature in blue ink, reading "M. C. A. Santiago".

M. C. A. SANTIAGO, CIG CLEA
Assistant Commissioner

Attachments

cc: Office of the Assistant Commissioner, Field
Golden Gate Communications Center
Golden Gate Division
Office of Legal Affairs
Office of Inspections

M e m o r a n d u m

Date: December 15, 2009

To: Golden Gate Division

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Golden Gate Communications Center

File No.: 318.14058

Subject: RESPONSE TO GOLDEN GATE COMMUNICATIONS CENTER
COMMAND EVIDENCE INSPECTION REPORT - FINAL REPORT

The purpose of this memorandum is to respond to the Office of the Assistant Commissioner, Inspector General, "Golden Gate Communications Center – Draft Command Evidence Inspection Report," dated September 28, 2009.

Findings Requiring Follow-Up:

Finding 1 – Agree. The inspector was unable to locate 32 active evidence items. The items have been located and documented as destroyed locally or remaining active pending destruction.

Finding 2 – Agree. The inspector was unable to locate documentation for seven closed evidence items. The seven closed evidence items have now appropriate associated documentation.

Finding 3 – Agree. The final disposition of "multiple" closed items was not noted on related documentation or in AIS. The appropriate documentation / AIS for the "multiple" items has been updated.

Finding 4 – Verified. The inspector was not able to personally verify with the Command Evidence Officer that "multiple active evidence items," which the inspector could not locate, were updated in the AIS and / or their final disposition documented. I personally conducted an evidence inventory on December 14, 2009, and verified the status off all Command evidence.

RECEIVED
APR 12 2010
BY: 

Safety, Service, and Security

Finding 5 – Agree. Prior documentation related to the 2007 and 2008 evidence audits and inventories, and any change - of - command inventories were not located. I took command of the Golden Gate Communications Center on September 1, 2009.

Finding 6 – Agree. The bar code scanner was not used, as the personnel required to use the device had not been trained or instructed to use the bar code scanner. The bar code scanner is operational now and the personnel required to use the scanner are waiting a first quarter training day for proper instruction, hands on training.

Finding 7 – Agree. Prior audits in 2007 and 2008 were not signed by the commander. I took command of the Golden Gate Communications Center on September 1, 2009.

Finding 8 – Agree. The command evidence room is not compliant with security policy according to HPM 70.1. The Golden Gate Communications Center requests an exemption to this policy requirement given the nature of the “evidence” being stored. The items stored as evidence generally consist of electronic data and paper documentation. Any other item of evidentiary value would be transported to the nearest Area office for evidence security.

Finding 9 – Agree. An unintentional error occurred when PSDSII Marshall, #A06588, indicated in the 1st/2nd Quarter 2007 audit that E2007-0036 could not be located. In 2007 – the command utilized evidence numbers up to 23 only. The inspector was unable to resolve any documentation utilizing this number. Area determined that the number was a tracking number used by the Custodian of Records for requests made for logs/documents in evidence, not an evidence number.

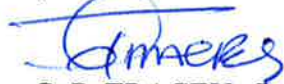
Finding 10 – Agree. Multiple CHP 36 forms were improperly completed. The command has a departmentally trained alternate evidence officer that is providing training to the supervisory – management staff on January 21, 2010.

Finding 11 – Agree. An officer drew a command evidence number for found property and did not place the property in to the evidence locker. The final disposition of the property has been verified. The actions of the officer are not within the control of the civilian personnel assigned to the command.

Golden Gate Division
Page 3
December 15, 2009

I appreciate the time and effort of the Office of Inspections to provide me with a detailed report of the Command evidence as it was between April 6, 2009 and May 18, 2009. I intend fully to comply with policy and procedure as it relates to the proper storage, documentation and verification of command evidence.

If you have any questions concerning this memorandum, please contact me directly at (707) 551 - 4181.



G. P. TRACEY, Captain
Commander